

1 James F. Humphreys
2 Cindy J. Kiblinger
3 **James F. Humphreys & Associates, L.C.**
4 United Center, Suite 800
5 500 Virginia Street East
6 Charleston, WV 25301
7 Telephone: 866-804-3235
8 Facsimile: 304-347-5055
9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 IN RE: BEXTRA AND CELEBREX
13 MARKETING SALES PRACTICES AND
14 PRODUCT LIABILITY LITIGATION

Case No. : 05-4538 CRB

MDL NO. 1699

District Judge: Charles R. Breyer

15 Barry R. Hudnall, et al.,

16 Plaintiffs

17 vs.

18 **STIPULATION AND ORDER OF
19 DISMISSAL WITH PREJUDICE**

20 Pfizer Inc, et al.,

21 Defendants.

22 Come now all the Plaintiffs in the above-entitled action and Defendants, by and through
23 the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby
24 stipulate to the dismissal of this action **with prejudice** as to all plaintiffs named therein with
25 each side bearing its own attorneys' fees and costs.

26
27
28
-1-

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

EAST42584151.1

1
2 DATED: 10/22, 2009

By: Christopher W. Lu

3
4 JAMES F. HUMPHREYS & ASSOCIATES, L.C.
United Center, Suite 800
500 Virginia Street East
5 Charleston, WV 25301
Telephone: 866-804-3235
6 Facsimile: 304-347-5055

7 *Attorneys for Plaintiffs*

8
9 DATED: Oct. 22, 2009

By: [Signature]

10 DLA PIPER LLP (US)
1251 Avenue of the Americas
11 New York, New York 10020
Telephone: 212-335-4500
12 Facsimile: 212-335-4501

13 *Defendants' Liaison Counsel*

14
15
16 PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.

17
18 Dated: OCT 28 2009

19 [Signature]
Hon. Charles R. Breyer
United States District Court